

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

GERALD L. CLEMONS	:	
Petitioner	:	Case No. C-1-00-722
vs.	:	JUDGE SMITH
BETTY MITCHELL, Warden	:	MAGISTRATE JUDGE KING
Respondent	:	

---

**NOTICE OF FILING DEPOSITIONS**

---

Respondent now files the depositions of **Dale Schmidt** and **Mark Krumbein**, who served as trial counsel for Petitioner Clemons. Mr. Schmidt and Mr. Krumbein were deposed on January 10, 2003 by agreement between Clemons' habeas counsel and Respondent's counsel.

Respondent notes that Petitioner's counsel are receiving copies of this motion, but not the transcripts of the depositions as counsel were previously provided copies by the court reporter.

Respectfully submitted,

JIM PETRO  
Attorney General

s/ Tara L. Berrien

---

TARA L. BERRIEN (0074314)  
CHARLES L. WILLE (0056444)  
Assistant Attorneys General  
Capital Crimes Section  
30 East Broad Street, 23rd Floor  
Columbus, Ohio 43215-3428  
(614) 728-7055; (614) 728-8600 (fax)  
**COUNSEL FOR RESPONDENT**

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing NOTICE OF FILING has been forwarded to Richard S. Ketcham, 755 South High Street, Columbus, Ohio 43206, and David J. Graeff, P.O. Box 1948, Westerville, Ohio 43086, this 17th day of November, 2003.

s/ Tara L. Berrien  
\_\_\_\_\_  
TARA L. BERRIEN  
Assistant Attorney General